

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA, ex rel.
JOHN M. GREABE,**

Plaintiffs

v.

Civil Action No. 04-11355-MEL

**BLUE CROSS BLUE SHIELD ASSOCIATION
and ANTHEM BLUE CROSS BLUE SHIELD
OF NEW HAMPSHIRE**

Defendants

Motion to File Second Amended Complaint Pursuant to Fed. R. Civ. P. 15(a)

For the reasons explained in his contemporaneously filed Memorandum of Law in Opposition to Joint Motion to Dismiss Amended Complaint and in Support of Motion to File Second Amended Complaint, relator moves to file a second amended complaint (with exhibits), which he attaches hereto. Relator submits that justice requires the allowance of his motion in this instance, as there is no adequate reason for denial of relator's motion. See, e.g., States Resources Corp. v. The Architectural Team, Inc., 433 F.3d 73, 83 (1st Cir. 2005). Relator further submits that he has sought, but has been denied, defendants' assent to the filing of relator's motion.

Respectively submitted,

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CERTIFICATE OF SERVICE

I, James A. Brett, Esquire, hereby certify that on this 31st day of March, 2006, the foregoing has been filed by electronic means through the ECF System. Any persons not receiving notification through ECF as noted on the Notification of Electronic Filing will be conventionally served via first class mail, postage prepaid:

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